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ACTION AF-01

INFO LOG-00 AID-00 CIAE-00 SMEC-00 OASY-00 DODE-00 EB-01  
FBIE-00 H-01 TEDE-00 INR-00 IO-08 L-01 ADS-00  
M-00 NSAE-00 NSCE-00 OIC-02 OMB-01 PA-01 PM-00  
PRS-01 P-01 SP-00 SR-00 SSO-00 SS-00 STR-01  
TRSE-00 T-00 USIE-00 PMB-00 PRME-01 DRL-09 G-00  
/029W

-----C581C7 150818Z /38

O 150811Z MAY 95  
FM AMEMBASSY KIGALI  
TO SECSTATE WASHDC IMMEDIATE 0668  
INFO USMISSION USUN NEW YORK IMMEDIATE  
RWANDA COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 KIGALI 001502

E.O. 12356: OADR  
TAGS: PINS, PGOV, PREL, PHUM, MOPS, MARR, RW  
SUBJECT: STATUS OF KIBEHO INQUIRY

REF: STATE 118198

1. CONFIDENTIAL -- ENTIRE TEXT. OADR USED BECAUSE OF SENSITIVITY OF SOURCE AND ONGOING NATURE OF COMMISSION.
2. CHARGE DEBRIEFED MAURICE NYBERG (STRICTLY PROTECT),  
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US REP ON KIBEHO COMMISSION, MAY 14 ON THE COMMISSION'S

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## PROCEEDINGS.

3. PROGRESS: THE COMMISSION HAS GOTTEN DOWN TO WORK IN  
----- AN ORDERLY MANNER. THE OAU REP (A  
TUNISIAN ARMY COLONEL) IS CHAIRMAN, THE CANADIAN REP (A  
DIPLOMAT) IQIRMAN, THE DUTCH REP (A PROSECUTOR)  
SECRETARY-RAPPORTEUR. THE COMMISSION HAS DECIDED THAT  
ALL DECISIONS WILL BE TAKEN BY CONSENSUS, BUT THAT THE  
FINAL REPORT MAY HAVE DISSENTING OPINIONS. THREE TEAMS  
HAVE BEEN SET UP:

- DOCUMENTS: CHAIR AND VICE-CHAIR.
- SCIENTIFIC: UK (PATHOLOGIST), CANADIAN #2 (CRIME  
SCENE SPECIALIST), DUTCH REP, WITH GOR MEDICAL  
ADVISER
- WITNESSES: US, RWANDAN, RWANDAN OBSERVER/TRANSLATOR,  
HAVE CONDUCTED WITNESS INTERVIEWS FOUR TIMES AT  
KIBEHO, ONCE ACCOMPANIED BY GERMAN; BELGIAN, DUTCH #2  
(POLICE INVESTIGATOR) HAVE INTERVIEWED UNAMIR ZAMBIA  
BATTALION WITNESSES IN KIGALI; FRENCH, GERMAN HAVE  
INTERVIEWED AUSMED WITNESSES IN KIGALI.
- THE UN REP, ACCORDING TO NYBERG, HAS PLAYED NO/NO  
SUBSTANTIVE ROLE SO FAR.

4. THE TEAMS GO THEIR SEPARATE WAY EACH MORNING, AND THE  
COMMISSION MEETS EACH EVENING AT THE HOTEL MERIDIEN FOR A  
TWO - THREE HOUR MEETING. THE MEETINGS HAVE BEEN  
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FRIENDLY AND PRODUCTIVE. THE COMMISSION IS TRYING TO  
FINISH ITS WORK, INCLUDING AT LEAST A DRAFT FINAL REPORT,  
BY FRIDAY MAY 19, IMMEDIATELY AFTER WHICH DATE SOME  
MEMBERS PLAN TO DEPART RWANDA.

5. WORK APPEARS TO BE PROCEEDING WITH NO OBSTACLES FROM  
THE GOR. NYBERG HAS OBTAINED COMPLETE ACCESS TO THE  
SITE, WHICH HE HAS VISITED FIVE TIMES. THE RPA HAS  
PLACED THE TWO SENIOR OFFICERS COMMANDING THE KIBEHO  
OPERATION UNDER HOUSE ARREST PENDING INVESTIGATION AND

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HAS MADE THEM AVAILABLE TO THE COMMISSION.

6. PROBLEMS: IN NYBERG'S VIEW, THERE ARE TWO MAJOR  
----- PROBLEMS: TOO MUCH UN AND UNAMIR POLITICAL  
INFLUENCE, AND AN EFFORT ON THE PART OF SOME MEMBERS TO  
FREEZE THE RWANDAN DELEGATE OUT OF INFORMATION COLLECTED  
BY THE COMMISSION. NYBERG SEES AN UNDULY LARGE UNAMIR  
PRESENCE AT COMMISSION MEETINGS, AND FEELS THAT THE UN  
REP IS BEHAVING NOT AS AN EXPERT BUT AS REPRESENTATIVE OF  
UN INTERESTS. UNAMIR LOGISTICAL SUPPORT PERSONNEL FOR  
THE COMMISSION ALWAYS SIT NEXT TO THE UN REP DURING  
MEETINGS AND OFTEN CONSULT PRIVATELY. THE UNAMIR  
PROVOST-MARSHAL'S REPORT WAS DISTRIBUTED BY UNAMIR TO ALL  
COMMISSION MEMBERS EXCEPT THE RWANDAN.

7. NYBERG RELATED AN INCIDENT IN WHICH THE CHAIRMAN  
(OAU) PASSED HIM A FOLDED NOTE. THE NOTE WAS WRITTEN BY  
UNAMIR'S MAJOR MARK MACKAY TO UNAMIR PROTOCOL DIRECTOR  
AMBASSADOR CONDE (ONE OF THE UNAMIR STAFF ATTENDING  
COMMISSION MEETINGS.) THE SUBSTANCE OF THE NOTE WAS THAT  
"FOR SECURITY REASONS" COMMISSIONERS SHOULD AVOID  
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MENTIONING WITNESSES' NAMES, PRECISE LOCATIONS OF GRAVE  
SITES, AND OTHER INVESTIGATIVE LEADS IN OPEN MEETINGS.  
WHEN HE HANDED NYBERG THE NOTE THE CHAIRMAN SAID,  
"BECAUSE OF CHRISTINE." CHRISTINE IS THE RWANDAN REP,  
AND IT WAS CLEAR TO NYBERG THAT THE POINT OF THE UNAMIR  
NOTE WAS TO KEEP HER IN THE DARK. NYBERG SEES THIS AS  
PART OF A LARGER EFFORT TO EXCLUDE THE RWANDAN REP FROM  
ACCESS TO EVIDENCE GATHERED BY THE COMMISSION. HE SAYS  
THAT THE BELGIAN, DUTCH, AND CANADIAN NUMBER TWO HAVE  
EXCLUDED HER FROM WITNESS INTERVIEWS, CLAIMING THAT HER  
PRESENCE WOULD BE INTIMIDATING TO UN (ZAMBIA BATTALION  
AND AUSMED) WITNESSES. NYBERG ALSO REPORTS THAT, APART  
FROM THE ISSUE OF THE RWANDAN REP'S PRESENCE, AUSMED AND  
ZAMBIA BATTALION HAVE BEEN LESS THAN FULLY COOPERATIVE  
ABOUT ALLOWING INTERVIEWS OF ITS PERSONNEL.

8. NYBERG ALSO DETECTS IN COMMISSION BACKCHAT AMONG THE  
PROFESSIONAL DIPLOMATS ON THE TEAM -- OAU, CANADIAN,  
GERMAN, UN -- MORE INTEREST IN THE POLITICAL EFFECT OF

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THE COMMISSION'S WORK THAN IN A STRICT EVALUATION OF THE  
EVIDENCE THE COMMISSION ADDUCES.

9. COMMENT: WE HAVE NO REASON TO BELIEVE THAT THERE IS  
----- DELIBERATE MANIPULATION GOING ON, BUT SOME  
OF NYBERG'S OBSERVATIONS ON UN/UNAMIR INFLUENCE ARE  
DISQUIETING. THE SRSG'S POLITICAL ADVISER REGULARLY

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	M-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01	PM-00
	PRS-01	P-01	SP-00	SR-00	SSO-00	SS-00	STR-01
	TRSE-00	T-00	USIE-00	PMB-00	PRME-01	DRL-09	G-00
	/029W						

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O 150811Z MAY 95  
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C O N F I D E N T I A L SECTION 02 OF 02 KIGALI 001502

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INTERVENES AT MEETINGS AND ONCE TRIED TO CONTEND THAT THE SCIENTIFIC TEAM HAD BEEN DENIED ACCESS BY THE RPA EVEN

THOUGH THE SCIENTIFIC TEAM DID NOT BELIEVE ACCESS HAD BEEN DENIED. THE RWANDAN OBSERVERS, BY CONTRAST, REMAIN SILENT UNLESS DIRECTLY QUESTIONED BY COMMISSION MEMBERS. WE CONCUR WITH DEPARTMENT'S VIEW THAT THERE SHOULD BE NO  
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CONNECTION BETWEEN UNAMIR'S MANDATE AND THE RESULTS OF THE COMMISSION'S WORK. BAD BLOOD COULD BE STIRRED UP REGARDLESS OF THE COMMISSION'S FINDINGS IF THE RWANDANS BELIEVE THAT UNAMIR IS UNDULY INFLUENCING THE COMMISSION. RWANDAN PERCEPTION THAT THE UN AND UNAMIR DO NOT TAKE GOR SOVEREIGNTY SERIOUSLY IS ALREADY INFLUENCING THE RWANDAN NEGOTIATING POSITION ON MANDATE RENEWAL. A HIGH-HANDED UNAMIR ATTITUDE AT THE NEGOTIATIONS WILL NOT HELP MATTERS. WHALEY

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